

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CYRUS R. SANDERS,

Plaintiff,

v.

STEPHEN DOWNS, et al.,

Defendants.

No. 3:08-CV-1560


(JUDGE CAPUTO)

(MAGISTRATE JUDGE MANNION)

**ORDER**

**NOW** this 24th day of January, 2013, upon review of the Report and Recommendation of Magistrate Judge Malachy E. Mannion<sup>1</sup> (Doc. 123) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 123) is **ADOPTED**.
- (2) Defendant Stephen Downs' Motion for Summary Judgment (Doc. 110) is **GRANTED**.
- (3) Defendant John Kern, Jr.'s Motion for Summary Judgment (Doc. 115) is **GRANTED**.
- (4) Judgment is entered, *sua sponte*, in favor of Defendant Cynthia Dunlap and against Plaintiff Cyrus Sanders on Count IV of Plaintiff's Amended Complaint (Doc. 21).
- (5) The Clerk of Court is directed to mark the case as **CLOSED**.

  
A. Richard Caputo  
United States District Judge

<sup>1</sup> The caption reflects Judge Mannion's office as a Magistrate Judge when he issued the Report and Recommendation here under review. He has since become a United States District Judge.